
Subject: Civil Rights: Public Notification & Compliance

Effective Date: October 1, 2004

Revised from:

Policy: Local Agencies shall inform all applicants or clients of their civil rights associated with applying for and receiving WIC benefits.

Reference: CFR §246.7(j), CFR §246.8

Procedure: To comply with civil rights requirements, each Local Agency shall provide WIC services in the following manner:

1. At each certification visit, inform the applicant or client that the individual shall not be discriminated against for reasons of race, color, national origin, age, sex or disability.
2. Ensure that all people have equal access to the WIC program and are not treated differently because of race, color, national origin, age, sex or disability.
3. Display in a public area, such as a waiting room or other facilities that clients and applicants frequent, the "And Justice for All" poster.
4. Ensure that appropriate staff, volunteers, or other interpreter or translation resources are available to provide program information to clients or applicants in appropriate languages to comply with LEP (Limited English Proficiency) requirements.
5. Ensure that all clients or applicants can read, or are read to, the rights and responsibilities listed on the certification form. Materials written for or read to clients shall be in the appropriate languages to comply with LEP (Limited English Proficiency) requirements.
6. Have a plan for LEP, which includes making every attempt to have a qualified interpreter, either on-site or available. The Local Agency shall **NOT** tell clients that they **MUST** bring an interpreter.
7. Provide clients and applicants access to civil rights information and program specifics, including information for filing complaints.
8. Maintain a civil rights file that contains copies of all discrimination complaints filed with the agency, all correspondence from the State WIC Agency regarding civil rights, a copy of the current State WIC Agency policy on civil rights compliance and current Civil Rights Complaint Form(s) and any current reference materials the Local Agency received during training sessions.
9. Comply with all policies in this PPM to ensure equal access to service delivery and consistent treatment of applicants/clients statewide.
10. Include the following nondiscrimination statement on any materials developed that provide information about the WIC Program:

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“In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age and disability.

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TTY). USDA is an equal opportunity provider and employer.”

The nondiscrimination statement is not required on materials that contain no information on the WIC Program.

11. When the WIC Program is publicized, include the following nondiscrimination statement:

“In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age and disability.

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TTY). USDA is an equal opportunity provider and employer.”

- a. When space prohibits the use of the above lengthy statement, the following minimal statement may be used:

“This institution is an equal opportunity provider.”

- b. If the short statement is used, it should be printed in a font type size no smaller than the text of the document.

12. Collect racial/ethnic data from each client at certification and record the data as self reported during the application interview. Local Agency staff shall inform clients that this information in no way affects their application for WIC and that the information is used for reporting and statistical purposes only. If a client declines to provide racial/ethnic information, staff are to record the data based on personal observation.

13. Guard against treating applicants or clients in an unequal or discriminatory manner by:

- a. Using common sense and common courtesy;
- b. treating others the same way staff would like to be treated;
- c. realizing that others may misunderstand what staff says and does;
- d. working to gain awareness of other cultures and situations;
- e. being sensitive;
- f. being polite and helpful;

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- g. apologizing; and
- h. thinking before speaking and acting.